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Agenda item 22

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

Venezuela: draft resolution

The General Assembly,

Having considered the item entitled "The situation of democracy and human rights in Haiti",

Recalling its resolutions 46/7 of 11 October 1991 and 46/138 of 17 December 1991, as well as the relevant resolutions and decisions adopted by the Economic and Social Council, the Commission on Human Rights and by other international forums,

Welcoming resolutions MRE/RES.1/91, 1/ MRE/RES.2/91 2/ and MRE/RES.3/92, adopted on 3 and 8 October 1991 and 17 May 1992, respectively, by the Ministers for Foreign Affairs of the member countries of the Organization of American States,

Also welcoming resolution CP/RES 594 (923/92) on the re-establishment of democracy in Haiti, adopted by the Permanent Council of the Organization of American States on 10 November 1992,

Considering that, despite the efforts of the international community, the legitimate Government of President Jean-Bertrand Aristide has not yet been re-established and that civil and political liberties continue to be trampled upon in Haiti,

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1/ See A/46/231, annex, appendix.

2/ See A/46/550-S/23127, annex.

Greatly alarmed by the persistence and worsening of gross violations of human rights, in particular summary and arbitrary executions, involuntary disappearance, reports of torture and rape, arbitrary arrests and detentions, as well as the denial of freedom of expression, of assembly and of association,

Concerned that the persistence of this situation could increase the number of Haitians seeking refuge in neighbouring Member States and convinced that a reversal of this situation is needed to prevent its negative repercussions on the region,

Welcoming the measures taken by the Secretary-General of the United Nations to lend his support to the Organization of American States, in particular the participation of his personal representative in the mission of the Secretary-General of the Organization of American States to Haiti, from 19 to 21 August 1992,

Taking into account its resolution 47/11 of 29 October 1992 on cooperation between the United Nations and the Organization of American States,

Taking note of the report of the Secretary-General on the situation of democracy and human rights in Haiti, 3/

Taking note also of the statement by the Secretary-General in his report on the work of the Organization, in which he declares that he stands "ready to help in any other way to resolve the Haitian crisis", 4/

Aware that, in accordance with the Charter of the United Nations, the Organization promotes and encourages respect for human rights and fundamental freedoms for all, and that the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of government", 5/

Recognizing the urgent need for an early, comprehensive and peaceful settlement of the situation in Haiti in accordance with the Charter of the United Nations and international law,

1. Strongly condemns again the attempted illegal replacement of the constitutional President of Haiti and the use of violence and military coercion and the violation of human rights in that country;

3/ A/47/599 and Add.1.

4/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 1 (A/47/1), sect. IV, para. 119.

5/ Resolution 217 A (III), art. 21, para. 3.

2. Reaffirms as unacceptable any entity resulting from that illegal situation and demands the restoration of the legitimate Government of President Jean-Bertrand Aristide, together with the full application of the National Constitution and hence the full observance of human rights in Haiti;

3. Takes note of the efforts by the Secretary-General of the Organization of American States to seek the implementation of the resolutions adopted by that organization;

4. Affirms that the solution of the Haitian crisis should take into account resolutions MRE/RES.1/91, MRE/RES.2/91, MRE/RES.3/92 and CP/RES 594 (923/92) of the Organization of American States;

5. Requests the Secretary-General of the United Nations to take the necessary measures in order to assist, in cooperation with the Organization of American States, in the solution of the Haitian crisis;

6. Urges the States Members of the United Nations to renew their support within the framework of the Charter of the United Nations and international law by adopting measures in accordance with resolutions MRE/RES.1/91, MRE/RES.2/91, MRE/RES.3/92 and CP/RES 594 (923/92) adopted by the Organization of American States, especially as they relate to the strengthening of representative democracy, the constitutional order and to the embargo on trade with Haiti;

7. Also urges the States Members of the United Nations and other international organizations to increase their humanitarian assistance to the Haitian people and to support all efforts to resolve the problems associated with displaced persons, and encourages, in this context, the strengthening of the institutional coordination established among United Nations agencies, as well as between the United Nations and the Organization of American States;

8. Calls upon the international community to refrain from supplying materials for the use of military forces or police in Haiti, including arms, ammunitions and petroleum, until the present crisis has been resolved;

9. Emphasizes that an increase in technical, economic and financial cooperation, when constitutional order is restored in Haiti, will be necessary to support its economic and social development efforts in order to strengthen its democratic institutions;

10. Requests the Secretary-General to submit to the General Assembly by mid-February, at a resumed session, a report on the implementation of the present resolution;

11. Decides to keep open the consideration of this item until a solution to the situation is found.